

The Pacific Commercial Advertiser

U. S. WEATHER BUREAU, September 9.—Last 24 hours' rainfall, trace. Temperature, Max. 83; Min. 74. Weather, cloudy to fair.

SUGAR.—96 Degree Test Centrifugals, 3.92c.; Per Ton, \$78.40. 88 Analysis Beets, 10s. 2½d.; Per Ton, \$83.00.

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HONOLULU, HAWAII TERRITORY, TUESDAY, SEPTEMBER 10, 1907.

PRICE FIVE CENTS.

NAVIGATOR AFONG CASE RETURNS LAME UP AGAIN

Big Tug Breaks Valve Stem 236 Miles at Sea.

With a broken low-pressure valve stem, the Associated Oil Company's powerful two-stacker, triple-expansion tug Navigator, Captain George McGoldrick, with the oil barge Monterey in tow, put back to port last night, docking at the oil wharf at 11:45 o'clock.

The Navigator and her tow left the harbor last Friday evening at 6 o'clock for Port Harford for another cargo of oil for the barge and also to bring back the Marion Chilcott, oil laden.

On Sunday last, at 8 o'clock in the morning, 236 miles from Honolulu, she broke her low-pressure valve stem. A couple of hours were spent getting ready to return to Honolulu for repairs under compound action and she brought back her tow at a speed of about 5 1-2 knots, whereas with a light tow, such as was the Monterey going up, she could make ten knots, making about 8 1-2 knots with a heavy tow. The return was without incident. Repairs will be made here at once and the Navigator will take on more fuel oil and probably make a fresh start Thursday morning.

Oil is in great demand here and there has been delay in delivering what is needed, and for this reason the company is anxious to rush cargoes. When the Navigator left the Coast for Honolulu she was to have brought the (Continued on Page Seven).

ANOTHER LICENSE IS TURNED DOWN

Board of License Commissioners Held a Meeting Yesterday.

The Board of License Commissioners held a meeting yesterday afternoon. A public hearing was given to Ishimatsu, who applied for a hotel license for his establishment just Waikiki of Nuuanu avenue, on Kukul, and running through to another short street. The place is a two-story frame building. The application was rejected. Ishimatsu was an unsuccessful applicant for a retail saloon license some time ago.

It was stated that the number of saloon licenses issued in Honolulu is about thirty. There were about sixty last year. In addition to these saloon licenses, however, there are the restaurant and hotel licenses.

The board indulged in a general discussion of questions that have arisen in the practical administration of the law. The sights and scenes at "Scotty's" on Sunday were talked over, such of the commissioners as were there during the day telling what they saw. Inspector Fennell told of the work he has done. The question of whether the Brewery could deliver beer on Sunday was discussed and the law read carefully in relation thereto.

There will not be another public hearing until October 3. One or two applications for license, which would have come up for public hearing, have been withdrawn.

THE ALEWA ROAD.

C. S. Holloway, Superintendent of Public Works, yesterday notified Land Commissioner Pratt that the engineers of his department were now at work taking the cross sections of the proposed Alewa Road. This means that the department will soon be ready to advertise for bids for the construction of the road.

Litigation Over Estate Not Settled by the Compromise.

So far from the Afong case being compromised and settled, it looks as though it may just be fairly started on its course through the courts. Two at least of the children, it is said, have become convinced that the proposed compromise did not deal equitably with all concerned, and new lawyers have been brought into the matter and the case will now go on either to a finish or to another compromise, though there will be new principals.

E. C. Peters, lately Attorney General, it is reported, has come into the case as the representative of Henry Afong, who, according to what is believed is very good authority, is not satisfied with the compromise proposed. Frank Thompson does not deny that he has been retained on behalf of Mrs. I. R. Burns, who has been living in New York for the past seven years, and it looks as though the suit had now got its second wind.

According to a number of people who are in a position to know at least the principal facts, the compromise did not provide for any of the children except the four daughters in whose behalf and at whose instance the suit was originally brought, Mrs. Riggs, Mrs. Magoon, Mrs. McStocker and Mrs. Humphreys, otherwise than by a general promise on the part of Mrs. Afong that she would deal fairly with them. It is stated by a friend of the family that misrepresentations were made to some of the absent children, among them Mrs. Burns, as to the real condition of the estate and of the income, and that it is because the real status of affairs has been learned that the proposed compromise, so far as it affects other children than the four in whose behalf it was brought, is now to be abrogated.

"When the public learns," said a friend of the family, "as I believe it will, just how matters stand, the sympathy of the community will be with Mrs. Burns. It is hoped that it will not be necessary to make any scandalous charges or to air any family skeletons. But on the basis of equity between children having equal rights and entitled to equal treatment, Mrs. Burns' case will appeal to the sentiment of fair play in the community."

THE SCHOOLS ARE CROWDED

Great Increases in Attendance Are Reported Everywhere.

School opened in the public schools all over the islands yesterday. Reports have not been received from any of the other islands, but everywhere on this island the reports are of increased attendance. Nearly every school is filled. Some of them are so crowded that the principals and teachers are actually not enough seats or desks to accommodate all the pupils. In the High School every department is crowded beyond its limits.

Superintendent Babbitt yesterday visited during the day the High School, the Normal, Kaahumanu, Kaili-hi-waena, Central Grammar, Kailulani, Royal, Kauluwela and Pohukaina. At the Kauluwela school there is an increase of 60 pupils over last year; at the Royal an increase of 100, and at Kailulani 50. At Kaili-hi-waena last year there were 246 pupils. Yesterday, although all of the last year's pupils who are expected back had not come in, there were new pupils bringing up the enrollment to 280.

It is not yet known among what race the increase of pupils is.

The old Hopper residence is now in use as a school, for the first time since it was acquired as a part of the Lanai deal. The pupils and teachers formerly in the old coral house on Kawaiahae lane, belonging to Kawaiahae church, are now housed in the Hopper residence, and the coral building is no longer used as a school. It is one of the oldest structures in Hawaii.

The new Kaili-hi-waena school building was used yesterday for the first time.

Preliminary reports received yesterday, which are only given as approximations, show increases over last year as follows: High School, 125; Central Grammar, 250; Waikiki, 20; Mollili, 26; Manoa, 4; Normal, 300; Pohukaina, 260; Maemae, 33; Pauoa, 15; Royal, 231; Kailulani, 300; Kauluwela, 80; Kaili-hi-waena, 100.

WORKMEN BESIEGING ARMED ORIENTALS AT VANCOUVER



SIR WILFRED LAURIER, CANADA'S FRENCH PREMIER, WHO MAY APOLOGIZE TO JAPAN ON BEHALF OF GREAT BRITAIN.

INCOME TAX APPEALS DECIDED

The Assessor Is Sustained in Only One of the Three.

The Tax Appeal Court yesterday handed down three decisions in income tax appeals. In all cases the Board is unanimous.

Perhaps the most important of the three cases is that in the appeal of the estate of the late H. A. Isenberg. The income tax of the estate was returned at \$92.35 and was raised by the assessor to \$2692.35, an increase of \$2600. This was the amount of the income tax on something like \$130,000 of life insurance collected by the estate during the year. The contention was made that this money was not subject to income tax but, when distributed, would be liable to inheritance tax. The court took this view. The inheritance tax on that amount will be about the same as the income tax.

A second case decided was that of the Campbell estate's appeal from an increase in income tax of \$451.85 made by the assessor. This was the amount of the income tax on income received from property in this Territory but spent in repairs on the St. James hotel in San Jose, repairs made necessary by the earthquake of April 18, 1906. The estate claimed that this money was a part of the expenses incurred in carrying on the business of the estate. The Tax Appeal court took this view of it and sustained the appeal.

The assessor will appeal to the Supreme Court so as to get an authoritative ruling on the question of whether income derived from property in this Territory can be spent on enterprises outside of the Territory and be exempt from the income tax.

The third decision was in the case of the appeal of C. G. Baileytine. He returned his income tax at \$21.76 and it was raised by the assessor to \$41.40. It is from the increase of \$19.64 that the appeal was taken. This was levied by the assessor on money received from the sale of stocks during the year. The appellant claimed, however, that as the stocks when bought, previous to the year for which taxes were assessed, had cost more than they had been sold for and that therefore instead of an income there had been a loss. The court following the opinion of the Supreme Court in the J. B. Castle case of a year ago, sustained the assessor and overruled the contentions of the appellant.

BEST COUNTERFEITING OUTFIT YET CAPTURED

HILO, September 9.—Marshal Hendry arrived here last night from Honolulu, having in custody four Koreans and plant captured with them. The outfit is complete, the best yet obtained. The Marshal will leave with the men and material for Honolulu in the Claudine today.

The Hilo won the championship in the Hilo Baseball League yesterday, taking the second game in a series of three played therefor.

REFUSED DOCTOR FOR DYING MAN

Japanese State Particulars of the Killing of the Lihue Prisoner.

The killing of Torao Nishimura at Lihue on the 4th inst. by Jailor Enoch Lovell, according to the report sent to Honolulu by the Japanese correspondent of the Jiyu Shimibun, places Lovell in a most serious situation. The dead man was serving a six months' sentence for assault and battery and vagrancy, having been known around Waimea for the past two years as a rather worthless character. He was sent to the Lihue jail to serve out his sentence, a part of his hard labor being to help in preparing a taro patch on the property of C. W. Spitz, at Nawiliwili. In the gang with him were two others, a Japanese named Kato and a Korean.

The breakfast prepared for the men on the third was found to consist of half raw rice, which none of the three could eat, so it was decided to ask Lovell for money with which to buy some bread. The money asked for was a part of \$25 belonging to Nishimura, held by Lovell while the owner was doing time. Accordingly the three went to the jailor and made their request, Nishimura acting as spokesman. Lovell, however, according to the story of the two living members of the trio, refused to listen to them and before their request had been all presented struck Kato with his fist on the side of the head, drawing blood. He then turned upon Nishimura, striking him first with his fist and then kicking him in the lower part of the abdomen. The victim of these blows was knocked down and was unable to get up.

Lovell then got on his horse and commenced to herd the three prisoners back to Lihue, but Nishimura was unable to walk unassisted. After the three had been locked up again, Nishimura complained of severe pains in the abdomen and asked that a doctor be sent for. The request was refused. All night he suffered, in the morning renewing his request that a doctor be sent for, offering to pay the expense himself. Again his request was refused.

Later in the morning his condition became so palpably serious that Lovell telephoned to Dr. Putnam. After examining the man the physician declared that his condition by this time was such that he could do nothing for him. The man died about noon that day.

As to the excitement, so reported, of the Lihue Japanese, the Jiyu correspondent denies that there was any. Some of the friends of the dead man came over from Waimea and these began an agitation, wishing to take up the matter at once with their Consul General in Honolulu. On the advice of Mr. Fukunaga, the Japanese editor at Lihue, they waited and as soon as it was seen that the authorities took up the matter the Japanese dropped whatever action they had contemplated.

HOSMER APPOINTED.

Governor Frear yesterday appointed Ralph Hosmer, the Superintendent of Forestry, a member of the Board of Regents of the new College of Agriculture and Mechanic Arts. He takes the place of C. F. Eckart of the Hawaiian Sugar Planters' Experiment Station, who recently resigned.

Militia Ready to Turn Out--- Earl Grey Sends a Warning Message---London Trusting in Canada---Dominion Will Make an Apology.

(Associated Press Cablegrams.)

VANCOUVER, September 10.—The outbreak of the white laborers against the Asiatics of the city is still serious. The Chinese and Japanese quarters are in a state of siege and the Orientals are armed to resist any further attacks. White laborers have been summoned within a radius of fifteen miles of the city to march upon the Oriental section.

One hundred extra policemen have been sworn in by the authorities and orders have been issued for the militia to stand ready to turn out immediately in the event of any further disturbances.

Earl Grey, the Governor General, has telegraphed from Ottawa that order must be preserved.

LONDON TRUSTS CANADA.

LONDON, September 10.—The anti-Japanese troubles at Vancouver had been expected here but the British authorities have confidence that the Canadian government will prevent any recurrences of the rioting which has taken place.

PAY DAMAGES AND APOLOGIZE.

OTTAWA, September 10.—The opinion is expressed here that Canada will pay damages to the Japanese and Chinese injured in the Vancouver rioting and will apologize to the governments at Tokio and Peking.

ISHII SEES FOR HIMSELF.

VANCOUVER, B. C., September 9.—Japanese Commissioner Ishii, who was here during the anti-Oriental riot of yesterday, reports that the windows and doors of fifty Japanese stores were smashed during the rioting. Also two Japanese were wounded.

These facts will be presented to Sir Wilfred Laurier, the Canadian Premier.

MOROCCO MUST PAY FOR OUTBREAK AT CASABLANCA

PARIS, September 10.—At a meeting of the Cabinet yesterday it was decided that Morocco will be called upon to pay damages for the outrages committed by the insurgent Moors at Casablanca, the amount to be assessed at a meeting of an international committee.

AMERICAN SAILORS IN TROUBLE AT HAKODATE

HAKODATE, Japan, September 9.—A mob today chased four sailors of the United States cruiser Chattanooga who were ashore on leave.

The affair resulted from one of the sailors striking a Japanese merchant.

An examination of the affair was held and the Japanese exonerated.

CHINESE TO STUDY CONSTITUTIONS.

PEKING, September 9.—Three commissioners have been appointed to visit Japan, England and Germany to examine the constitutional systems of government. This is in keeping with the plans for the adoption of constitutional government in China.